

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DETROIT ENTERTAINMENT, LLC,

Plaintiff,

Case No. 21-cv-10661

Hon. Matthew F. Leitman

v.

AMERICAN GUARANTEE AND
LIABILITY INSURANCE COMPANY,

Defendant.

ORDER TERMINATING WITHOUT PREJUDICE
DEFENDANT'S INITIAL MOTION TO DISMISS (ECF No. 13)

On February 25, 2021, Plaintiff Detroit Entertainment, LLC filed this declaratory judgment and breach-of-contract action against its commercial property insurer, Defendant American Guarantee and Liability Insurance Company in the Wayne County Circuit Court. (*See* Compl., ECF No. 1-2.) American Guarantee thereafter removed the action to this Court and filed a motion to dismiss. (*See* Notice of Removal, ECF No. 1; Mot. to Dismiss, ECF No. 13.)

On April 27, 2021, the Court entered an order in which it provided Detroit Entertainment the opportunity to file a First Amended Complaint to address the purported deficiencies in the Complaint. (*See* Order, ECF No. 16.) The Court informed the parties that if Detroit Entertainment filed a First Amended Complaint,

it would terminate American Guarantee's pending motion to dismiss as moot. (*See id.*)

Detroit Entertainment has now filed a First Amended Complaint. (*See* First Am. Compl., ECF No. 18.) Accordingly, the Court **TERMINATES AS MOOT AND WITHOUT PREJUDICE** American Guarantee's initial motion to dismiss (ECF No. 13).

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: May 26, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 26, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(810) 341-9764